

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

<b>GERALD LYNN BOSTOCK,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>CIVIL ACTION</b>
	)	<b>NO: 1:16-cv-01460-ELR-WEJ</b>
<b>CLAYTON COUNTY,</b>	)	
	)	
<b>Defendant.</b>	)	

**DEFENDANT’S EMERGENCY MOTION TO SEAL CERTAIN  
DEPOSITION TRANSCRIPTS AND PLEADINGS FILED BY PLAINTIFF  
IN SUPPORT OF HIS MOTION FOR SUMMARY JUDGMENT**

COMES NOW, Clayton County, (“the County”), the Defendant in the above-referenced case, and files this, its Emergency Motion To Seal Certain Deposition Transcripts And Pleadings Filed By Plaintiff In Support Of His Motion For Summary Judgment.

On the evening of March 21, 2022, Plaintiff filed a Motion for Summary Judgment. (Doc. 127). In support of his Motion, Plaintiff publicly filed the entirety of Judge Teske’s deposition transcript (Doc. 141) and John Johnson’s deposition transcript (Doc. 134). The only document that Plaintiff filed under seal in connection with these depositions is Exhibit 43, which is Judge Teske’s personal diary. (Doc. 129, 129-1).

Plaintiff's public filing of these deposition transcripts violates the Court's September 10, 2021 Consent Protective Order (Doc. 85) and the Court's January 13, 2022 Order (Doc. 112) rejecting Plaintiff's challenge to the County's designation of Judge's Teske's personal diary as confidential. Substantial portions of Judge Teske's and Mr. Johnson's depositions quote directly from Judge Teske's personal diary and include extensive questions and answers that specifically discuss the contents of Judge Teske's diary. For this reason, the Court granted earlier today the County's motion to file these excerpts from Judge Teske's and Mr. Johnson's depositions (among others) under seal. (Doc. 139, 145).

The County designated for Plaintiff the portions of Judge Teske's and Mr. Johnson's deposition transcript that are confidential in that they quote from or discuss the contents of Judge Teske's diary. Plaintiff, however, made a calculated decision to disregard these designations, presumably on the ground that the County did not make them within 10 days of receipt of these deposition transcripts. However, Plaintiff made this argument in challenging the confidentiality of Judge Teske's diary (Doc. 109, at p. 2), and the Court rejected it and held that Judge Teske's personal diary shall remain confidential. (Doc. 112).

Although Plaintiff has appealed the Court's ruling to the District Judge (Doc. 115), the District Judge has not yet ruled on Plaintiff's objections, and thus the Court's

1/13/22 Order remains in effect. Plaintiff should not be allowed to circumvent the Court's 1/13/22 Order by publicly filing deposition transcripts that quote verbatim from Judge Teske's personal diary or otherwise discuss its contents extensively.

Accordingly, the County respectfully requests that the Court immediately seal in their entirety the transcripts of the depositions of Judge Teske (Doc. 141) and Mr. Johnson (Doc. 134) filed by Plaintiff, and that Plaintiff be required to redact these depositions pursuant to the County's designations before Plaintiff re-files them. Similarly, the County respectfully requests that the Court immediately seal Plaintiff's Statement of Material Facts (Doc. 127-1) and their brief filed in support of their Motion for Summary (Doc. 127-2) in their entirety, and that Plaintiff be required to redact any discussion revealing the contents of Judge Teske's diary in these pleadings before re-filing them.

Respectfully submitted,

**FREEMAN MATHIS & GARY, LLP**

*/s/ Jack R. Hancock*

Jack R. Hancock

Georgia Bar No. 322450

William H. Buechner, Jr.

Georgia Bar No. 086392

Michael M. Hill

Georgia Bar No. 770486

*Counsel for Clayton County*

100 Galleria Parkway, Suite 1600  
Atlanta, Georgia 30339  
Telephone: (770) 818-0000  
Facsimile: (770) 937-9960  
[jhancock@fmglaw.com](mailto:jhancock@fmglaw.com)  
[bbuechner@fmglaw.com](mailto:bbuechner@fmglaw.com)  
[mhill@fmglaw.com](mailto:mhill@fmglaw.com)

**CERTIFICATE OF COMPLIANCE**

Pursuant to Local Rule 7.1(D), I hereby certify that the within and foregoing **DEFENDANT’S EMEGENCY MOTION TO SEAL CERTAIN DEPOSITION TRANSCRIPTS AND PLEADINGS FILED BY PLAINTIFF IN SUPPORT OF HIS MOTION FOR SUMMARY JUDGMENT** has been prepared in compliance with Local Rule 5.1(B) in 14-point Times New Roman type face.

This 22nd day of March, 2022.

*/s/ Jack R. Hancock* \_\_\_\_\_

Jack R. Hancock

Georgia Bar No. 322450

**CERTIFICATE OF SERVICE**

I hereby certify that on this day I electronically filed the within and foregoing **DEFENDANT’S EMEGENCY MOTION TO SEAL CERTAIN DEPOSITION TRANSCRIPTS AND PLEADINGS FILED BY PLAINTIFF IN SUPPORT OF HIS MOTION FOR SUMMARY JUDGMENT** with the Clerk of Court using the CM/ECF system, which will automatically send e-mail notification of such filing to the following counsel of record:

Thomas J. Mew, IV  
Edward D. Buckley  
Andrew Beal  
Buckley Beal LLP  
600 Peachtree Street, NE, Suite 3900  
Atlanta, GA 30308

This 22nd day of March, 2022.

*/s/ Jack R. Hancock*  
\_\_\_\_\_  
Jack R. Hancock  
Georgia Bar No. 322450